

# Kansas Register

Bill Graves, Secretary of State

Vol. 12, No. 36 September 9, 1993 Pages 1355-1384

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### Commission on Disability Concerns

### Notice of Meeting

The Commission on Disability Concerns will meet from 9:30 a.m. to 4 p.m. Tuesday, September 14, in the second floor conference room at 1430 S.W. Topeka Blvd., Topeka.

Joe Dick Secretary of Human Resources

Doc. No. 013855

### State of Kansas

### Information Network of Kansas

### Notice of Meeting

The Information Network of Kansas board will meet at 3 p.m. Thursday, September 16, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Charles R. Warren President, Kansas Inc.

Doc. No. 013887

### State of Kansas

# Kansas Agricultural Value-Added Processing Center

### Notice of Leadership Council Meeting

The Leadership Council of the Kansas Agricultural Value-Added Processing Center will meet from 9 a.m. to 3 p.m. Friday, September 10, at The Quest Center, 1 E. 9th, Hutchinson. For further information contact Susan J.G. Wollesen, Assistant Director, at (913) 532-7033.

Richard R. Hahn Director

Doc. No. 013891

### State of Kansas

### Kansas Technology Enterprise Corporation

### Notice of Meeting

The Kansas Technology Enterprise Corporation board of directors will meet at 10:30 a.m. Wednesday, September 22, at the Kansas State University-Salina, College of Technology, 2409 Scanlan Ave., Salina.

William G. Brundage President

Doc. No. 013896

### State of Kansas

### Board of Adult Care Home Administrators

### Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, September 17, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Cathy Rooney, Director Health Occupations Credentialing

Doc. No. 013880

### State of Kansas

### Kansas Inc.

### Notice of Meeting

The Kansas Inc. Action Planning Committee will meet from 8:30 a.m. to 4:15 p.m. Wednesday, September 15, at the Expocentre, Manor Conference Hall, 17th and Western, Topeka. The meeting is open to the public.

Charles R. Warren President, Kansas Inc.

Doc. No. 013888

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Topeka, KS 66612-1594
(913) 296-2236



Register Office: 235-N, State Capitol (913) 296-3489

### Department of Administration

### **Public Notice**

Under requirements of K.S.A. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balances are \$2,137,747.65 in the underground petroleum storage tank release trust fund and \$7,942,296.48 in the aboveground petroleum storage tank release trust fund at August 31, 1993.

Susan M. Seltsam Secretary of Administration

Doc. No. 013886

State of Kansas

# Advisory Committee on Hispanic Affairs

### Notice of Meeting

The Kansas Advisory Committee on Hispanic Affairs, Kansas Department of Human Resources, will conduct its quarterly board meeting at 10 a.m. Friday, September 24, in the Nunnemaker Room at the Hutchinson Community College Student Union. The meeting is open to the public.

For more information, contact Eva Pereira at (913)

296-3465.

Eva Pereira Executive Director

Doc. No. 013881

State of Kansas

### Department of Corrections Kansas Correctional Industries

### Notice to Bidders

Sealed bids for state of Kansas surplus property (Quotation No. 940002) will be received by State Surplus Property, Building 344, Forbes Air Industrial Park, P.O. Box 19226, Topeka 66619-0226, until 4:30 p.m. Monday, October 11, and then will be publicly opened at 8 a.m. Tuesday, October 12. Interested bidders may call (913) 296-2334 for additional information.

Steven R. Magee Director, State Surplus Property

Doc. No. 013892

State of Kansas

### **Attorney General**

Opinion No. 93-107 (Amended)

Elections—Election Expense Apportionment—Expenses Subject to Apportionment; Payment By County; Reimbursement; Basis for Apportionment. Darrell E. Miller, Jewell County Attorney, Mankato, August 9, 1993.

The legislature has established an administrative procedure to be followed by governmental subdivisions

aggrieved by a determination of the county election officer regarding apportionment of election expenses. Any governmental subdivision which fails to exhaust the remedies established under that procedure incurs the liability for the apportioned expenses as determined by the county election officer.

Apportionment of election expenses pursuant to K.S.A. 25-2201 is to occur except when all registered electors of a county are eligible to vote in an election conducted in the county. It is not required that all registered electors of the county be eligible to vote for the same public offices or questions. Cited herein: K.S.A. 25-2201; 25-2204; L. 1968, ch. 53, §§ 1, 2; L. 1973, ch. 164, § 1; K.A.R. 6-1-1; 6-1-2. RDS

### Opinion No. 93-115

Drainage and Levees—Drainage Districts Within Counties or Cities; Drainage Act of 1905 and Amendments—Powers of Drainage Districts. Charles F. Speer, Counsel for Fairfax Drainage District, Kansas City, Missouri, August 24, 1993.

Absent a contract, implied or otherwise, a drainage district is not authorized by statute to compel payment for sewer services provided to a municipality. Cited herein: K.S.A. 12-2904; 12-2905; 24-407; 24-408; 24-469; K.S.A. 1992 Supp. 79-201a. GE

### Opinion No. 93-116

Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Affecting Business—Debt Adjusting. Joan Hamilton, District Attorney, Topeka, August 27, 1993.

Any fee paid by a debtor to an organization, whether established for profit or not, in exchange for that organization distributing money periodically paid by the debtor among specified creditors is "consideration" as that term is used in the Kansas debt adjusting statute. Cited herein: K.S.A. 21-2464 (repealed 1969); 21-4402, as amended by L. 1993, ch. 239, § 224. CN

### Opinion No. 93-117

Roads and Bridges; Roads—General Provisions; Laying Out and Opening Roads—Requirement That Roads be Accepted by County.

Cities and Municipalities—Planning and Zoning; Planning, Zoning and Subdivision Regulations in Cities and Counties—Subdivision Regulations; Requirements for Street Improvements. Joann Flower, State Representative, 47th District, Oskaloosa, August 27, 1993.

A county road is established upon recording the survey and plat of the same. The degree of improvement or maintenance of county roads is discretionary with the county. A county may have a cause of action against a developer for failure to build subdivision roads in compliance with county requirements. Cited herein: K.S.A. 12-749; 12-762, as amended by L. 1993, ch. 85, § 1; 19-2918, repealed L. 1991, ch. 56, § 28; 19-2918c, repealed L. 1991, ch. 56, § 28; 68-102; 68-106; 68-715; 68-701; 68-728; 68-731; 68-735. JLM

Robert T. Stephan Attoney General

Legislature

Salah Salah Salah	a Dijarahaa (ji		Legislature	
The following	committee me	II etinos have be	iterim Committee Schedule  en scheduled during the period of S	September 13 through September 26:
Date	Room	Time	Committee	Agenda
			Statutory Committees	
September 13 September 14	On Tour 527-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	13th: On tour: K.S.U. 14th: Capital improvement presentations: Schools for the Deaf and Blind; Board of Regents and Regents institutions.
September 14 September 15	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	Claims filed to date.
September 16 September 17	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by: Board of Agriculture; Dept. of Corrections; Dept. of Commerce; State Fair Board; Bank Commissioner; SRS; Board of Nursing; KDHE.
September 20 September 21	123-S 123-S	10:00 a.m. 9:00 a.m.	Task Force on the Funding of Community Colleges and the Kansas Postsecondary Vocational and Technical Training System	Agenda not available.
September 20 September 21	Wichita Wichita	10:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	Meeting in Wichita. Agenda not available.
September 20 September 20 September 21	Expocentre 519-S 519-S	9:00 a.m. 2:00 p.m. 9:00 a.m.	Joint Committee on Economic Development	20th a.m.: Attendance at statewide EPSCoR conference—science and technology issues.  20th p.m.: Overview of workforce training issues, Kansas, Inc.  21st: Various presentations on coordination of workforce training services.
September 22 September 23	531-N 531-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
	$\{x_i^{(N)}, x_i^{(N)}, x_i^{(N)}\} \in \mathcal{N}$		terim Study Committees	
September 13 September 14	123-S 123-S	9:00 a.m. 9:00 a.m.	Senate Commerce Committee	Comprehensive review of the Kansas employment security law—focus on disqualification.
September 14 September 15	526-S 526-S	8:00 a.m. 8:00 a.m.	House Energy and Natural Resources Committee	14th: Hearings on bills to: (1) create revolving loan fund for public water supply, (2) restrict condemnation of water rights, (3) permit tipping fees to be dedicated to closure and post-closure of land fills, (4) prohibit burial of incinerator waste.  15th: Hearings on bills to: (1) create revolving loan fund for pollution clean-up, (2) provide for acquisition of water storage supply capacity; and
				briefing on mandates of the Federal Energy Policy Act.

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Doc. No. 013901

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September 10 Colby

7:30 a.m.

6:00 p.m.

Colby Community Building

Cloud County Community

Russell 12:30 p.m. U.S.D. 407 Administration

Building

College

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Emil Lutz
Director of Legislative
Administrative Services

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Listening tours.

### Kansas Arts Commission

### Notice of Advisory Panel Meetings

The Kansas Arts Commission has scheduled meetings of three advisory panels during September to review applications for funding support through a variety of grant programs offered during fiscal year 1994.

• The advisory panel for the Design Arts/Capital Aid Program will convene at 1 p.m. Tuesday, September 14, in the classroom area at the Kansas Museum of History, 6425 S.W. 6th, Topeka.

• The advisory panel for Professional Development Grant Program will convene at 10 a.m. Wednesday, September 15, in the classroom area at the Kansas Museum of History, 6425 S.W. 6th, Topeka.

• The advisory panel for the Grassroots Cultural Development Program will convene at 9 a.m. Thursday, September 16, in the first floor hearing room at the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

The funding recommendations of these panels will be presented to the full commission for action during its quarterly business meeting scheduled from 9 a.m. to 4:30 p.m. Friday, September 24, in the conference room of UMB-City National Bank, 7th and Commercial, Atchison.

Meetings of the Kansas Arts Commission, a state agency, and of its funding advisory panels are open to public observation.

Besides acting on grant applications, the commissioners will hear a presentation on accessibility and recommendations for any reconsideration of action on previous applications. They will review the fiscal year 1994 budget and the budget proposal for fiscal year 1995. Reports will be presented by the Long-Range Planning Committee and by the coordinators of ongoing KAC programs.

For more information, contact the Kansas Arts Commission, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603-3758, (913) 296-3335. Persons with special communication needs may use the Kansas Relay Service, 1-800-766-3777.

Funding for the Kansas Arts Commission is provided through grants from the National Endowment for the Arts, a federal agency, and from appropriations by the Kansas Legislature.

Dorothy L. Ilgen Executive Director

Doc. No. 013902

State of Kansas

### **Board of Cosmetology**

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Board of Cosmetology at 10 a.m. Friday, October 15, at the board office located at 603 S.W. Topeka Blvd., Suite 100, Topeka, to consider the adoption of proposed changes in one existing regulation and adoption of new regulations pertaining to operation of tanning facilities.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed

regulations.

All interested parties may submit written comments prior to the hearing to the executive director at the above address. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. All written and oral comments submitted by interested parties will be considered by the board as a basis for approving, amending or rejecting the proposed regulations.

Copies of the complete text of the regulations and the economic impact statements may be obtained from

the executive director at the address above.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows:

K.A.R. 69-11-1. Fees. This amendment provides for fee increases on all individual license renewals. It also provides for fee increases for examination fees and an increase in the school license renewal. The economic impact to the agency would be increased revenue necessary to operate at its current level. The impact on licensees would be \$5.00 each two-year license period; for candidates to take the exam, an increase of \$10.00; and for school owners, \$20.00 per year. There would be no economic impact to the general public or other governmental agencies as a result of this proposed amendment.

K.A.R. 69-12-1 through K.A.R. 69-12-17. Regulations pertaining to the operation of a tanning facility. These permanent regulations are proposed for adoption. They establish requirements for the safe operation of a tanning facility. The only regulation proposed to have an economic impact will be K.A.R. 69-12-5, Fees. The impact on the agency will be revenues to perform inspections and issue licenses. The economic impact to the licensee will be the fee of \$100.00 per year. There will be no economic impact to the general public or other governmental agency as a result of this proposed regulation.

Nancy Shobe Executive Director

### Secretary of State

### **Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State's office.

The following appointments were filed August 7-

September 3:

### State Representative, 93rd District

Russell L. Mills, 343 N. Market, Wichita 67202. Term expires when a successor is elected and qualifies according to law. Succeeds Rick Bowden, resigned.

### Wabaunsee County Attorney

Elizabeth Shumaker, 1909 Washington Ave., Kansas City 66102. Term expires when a successor is elected and qualifies according to law. Succeeds Douglas Ott, resigned.

### District Judge, 10th Judicial District

Steve A. Leben, 7232 Lowell, Overland Park 66204. Term expires when a successor is elected and qualifies according to law. Succeeds Earle D. Jones, resigned.

### State Board of Accountancy

J. H. Hay, P.O. Box 2707, Liberal 67905. Term expires July 31, 1996. Reappointment.

Don R. Paxson, 1500 Bank IV Tower, Topeka 66603. Term expires July 31, 1996. Reappointment.

Richard A. Ruiz, 1747 S. 23rd, Kansas City, KS 66106. Term expires July 31, 1996. Reappointment.

### Department of Credit Unions

Sue Ann Shelby, Acting Administrator, NeKan Bell Credit Union, 7th and Quincy, Topeka 66603. Serves at the pleasure of the Governor. Succeeds Wayne Warfel, resigned.

### Kansas Development Finance Authority

Betty McBride, 429 S. Delaware, Columbus 66725. Subject to Senate confirmation. Term expires June 30, 1997. Succeeds Christopher McKenzie.

### Kansas Grain Sorghum Commission

Lynn Goosen, Route 2, Box 420, Colby 67701. Term expires June 30, 1997. Succeeds Tom Cook.

Gregory K. Shelor, HCR 1, Box 169, Minneola 67865. Term expires June 30, 1997. Reappointment.

Robert L. Tuttle, Rural Route, Quinter 67752. Term expires June 30, 1997. Succeeds Mark Smith.

# Kansas Statewide Independent Living Council (Public Law 102-569. New positions.)

Sanford J. Alexander III, 5321 Plaza Lane, Wichita 67208. Term expires August 17, 1994.

Patty Gerdel, 1023 S.W. Gage, Topeka 66604. Term expires August 17, 1996.

Terrance Harris, 416 S. 17th, Parsons 67357. Term expires August 17, 1994.

Janet F. Heit, 1100 E. Wyatt Earp Blvd., Dodge City 67801. Term expires August 17, 1994.

Martha Hodgsmith, 700 S.W. Jackson, Suite 212, Topeka 66603. Term expires August 17, 1996.

Robert Jordan, 219 Dexter, Clay Center 67432. Term expires August 17, 1995.

Terry Larson, 122 S.W. 6th, Topeka 66603. Term expires August 17, 1995.

Darryl L. Luton, 500 E. Park St., #6, Olathe 66061. Term expires August 17, 1995.

Gina McDonald, 3258 S. Topeka Blvd., Topeka 66611. Term expires August 17, 1996.

Paula L. McElwee, 600 Commerce Parkway, Hays 67601. Term expires August 17, 1994.

Sheila Nelson-Stout, 1710 W. Schilling Road, Salina 67401. August 17, 1996.

Judy Thompson, 2131 S.W. Potomac Drive, Topeka 66611. Term expires August 17, 1994.

George Vega, Social and Rehabilitation Services, 5th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka 66612. Term expires August 17, 1995.

Martha Wooten, 1313 Adams, Fredonia 66736. Term expires August 17, 1996.

Glen Yancey, Social and Rehabilitation Services, Biddle Building, 300 S.W. Oakley, Topeka 66606. Term expires August 17, 1995.

### The Kansas Lottery

Paul Louderman, Acting Executive Director, 2925 Medford, Topeka 66611. Serves at the pleasure of the Governor. Succeeds Ralph Decker, resigned.

### Pooled Money Investment Board

Don R. Paxson, 1500 Bank IV Tower, Topeka 66603. Subject to Senate confirmation. Term expires June 30, 1996. New position.

### Kansas Commission on Travel and Tourism

Patricia A. Altwegg, Route 2, Box 153, Oak Hill 67472. Term expires September 30, 1996. Succeeds Sharon Treaster.

Max Ary, 1100 N. Plum, Hutchinson 67501. Term expires September 30, 1995. Succeeds Nick Jordan, resigned.

Francie Dix, 7777 E. Osie, Wichita 67207. Term expires September 30, 1996. Reappointment.

Stanley G. Hirschler, 102 N. Belfry, Council Grove 66846. Term expires September 30, 1996. Succeeds John T. Pence.

Vicky Johnson, West Mineral 66782. Term expires September 30, 1996. Succeeds Arden Booth.

Patty Sloan, 10 N. Grant Ave., Chanute 66720. Term expires September 30, 1996. Succeeds Eleanor McCoy.

Maureen Sullivan, 904 Randolph, Topeka 66606. Term expires September 30, 1995. Succeeds V. James Sherer.

> Bill Graves Secretary of State

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State of Kansas

### Department of Transportation

### Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consultant engineering firms for the following two projects. Responses must be received by September 23 for one or both projects for which the consultant engineering firm wishes to be considered. Seven signed copies of responses must be mailed to Al Cathcart, P.E., Project Control Engineer, Office of Engineering Support, KDOT, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka 66612.

Project Package No. 1 will have surveys completed by others and will be provided to the consultant engineering firm. Items such as seeding and erosion control, right-of-way procurement activities, geology, permit development, traffic data, and utility and railroad agreement efforts may all require consultant firm

involvement.

It has been established that all pavement marking, lighting, traffic signals, traffic control and permanent signing plans necessary will be designed by the consultant engineering firm. Information on other activities that will be performed by either KDOT or the consultant will be established and furnished to the consultant engineering firms who are short listed by the KDOT Selection Committee prior to interview by the KDOT Negotiating Committee. Package No. 1 is part of the Southeast Kansas Corridor and will be managed by KDOT's Corridor Consultant, Howard, Needles, Tammen and Bergendoff.

Project Package No. 2 involves intersection improvement to U.S. 169 and 175th Street and U.S. 169 and 199th Street in Johnson County. Consultant engineering firms will be responsible for engineering surveys and all design activities necessary to produce construction plans. Plans are scheduled to be complete by March 15, 1994, to allow construction to be completed

in the 1994 construction season.

Package No. 1 will require highway design—major facility and multi-span bridges design. Package No. 2 will require highway design—major facility and traffic control system analysis, design and implementation.

### Package No. 1

### U.S. 160-50 K-5345-01 Parsons Bypass

Beginning approximately 3 miles west of the west city limits of Parsons and ½ mile north of existing U.S. 160, north and east to cross U.S. 59 approximately ½ mile north of the north city limits of Parsons and then curve south and east to the east terminus at existing U.S. 160, approximately 2½ miles east of the east city limits of Parsons.

The scope of the work is to prepare roadway construction plans for providing right-of-way, based on a four-lane divided roadway with a possible interchange at U.S. 59 and for initial construction of two lanes. The project will be developed through the office check stage and right-of-way acquisition.

### Package No. 2

### U.S. 169-46 K-5343-01 Johnson County

The intersections of U.S. 169 and 175th Street and U.S. 169 and 199th Street.

### Scope of Improvement at U.S. 169 and 175th Street:

- Construct left turn lanes on 175th Street and possible modification of the median and turn lanes on U.S. 169.
  - Installation of a fully actuated traffic signal system.
- Installation of symbolic signal ahead signs with amber beacons on U.S. 169.
- Installation of "Be Prepared To Stop" signs with amber beacons on U.S. 169.
- Removal of existing traffic signals on 175th Street and installation of symbolic signal ahead signs on 175th Street.

### Scope of Improvement at U.S. 169 and 199th Street

- Construct left turn lanes on 199th Street, possible modification of the median and turn lanes on U.S. 169 and construction of a southbound right turn lane from U.S. 169 to 199th Street.
  - Installation of a fully actuated traffic signal system.
- Installation of symbolic signal ahead signs with amber beacons on U.S. 169.
- Installation of "Be Prepared to Stop" signs with amber beacons on U.S. 169.
- Removal of existing traffic signs on 199th Street and installation of symbolic signal ahead signs on 199th Street.

From firms expressing interest, the Consultant Selection Committee will select a list of what it determines to be the most highly qualified (not less than three, nor more than five) and invite them to attend a pre-proposal conference. Firms not selected will be notified by letter.

The Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with firms invited to the pre-proposal conference and select one firm with which to negotiate a contract. After a contract has been awarded, the remaining firms not selected will be notifed by letter.

It is the policy of KDOT to use the following criteria as the basis for selection of consultant engineering firms:

- 1. Size and professional qualifications.
- 2. Experience of staff.
- 3. Location of firm with respect to proposed project.
- 4. Work load of firm.
- 5. Firm's performance record.

Michael L. Johnston Secretary of Transportation

### State of Kansas

### Office of the State Treasurer

### Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

### Effective 9-13-93 through 9-19-93

Steen Term of head to	Rate
0-90 days	3.06%
3 months	2.98%
6 months	3.10%
12 months	3.30%
24 months	3.70%
36 months	4.02%
48 months	4.35%
till og skriver for til skale skildere ett er skriver i forskale for skriver. I skilder ett skriver forskale forskale for skriver for skriver for skriver for skriver for skriver for skrive	Sally Thompson State Treasurer
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### State of Kansas

### Department of Transportation

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### Notice of Hearing on Proposed Administrative Regulations

A hearing will be conducted from 10 a.m. to noon Thursday, October 21, in the Kansas Department of Transportation's seventh floor conference room, Docking State Office Building, 915 S.W. Harrison, Topeka, in order to allow interested parties to express their views and comments on K.A.R. 36-27-11.

The revocation of this regulation is necessary because the legislature amended the regulation's implementing statute and placed KDOT's administrative procedure for internal hearings under the purview of the Kansas Administrative Procedure Act. The regulation's procedure is obsolete.

Complete copies of the proposed regulation and the fiscal and economic impact statement may be obtained from the Kansas Department of Transportation, Office of Chief Counsel, (913) 296-3881.

A period of 30 days notice constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Written comments may be sent to the Kansas Department of Transportation, Office of Chief Counsel, Attn: Mike Rees, Room 779-S, Docking State Office Building, 915 S.W. Harrison, Topeka 66612-1568.

> Michael L. Johnston Secretary of Transportation

Doc. No. 013882

### State of Kansas

### Wildlife and Parks Commission

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, October 14, at the Anderson County Community Building, Route 1, Lake Road, Garnett, to consider the adoption and revocation of several department regulations. There will be a public comment period at the beginning of the evening meeting and additional comments may be taken during the meeting on agenda items.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. October 14, at the location listed above. The public also will be given the opportunity to comment on any items at the beginning or during the afternoon meeting. The meeting will recess at 5 p.m. then resume at 7 p.m. at the same location for the regulatory hearing. Old and new business may also be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. October 15 at the location listed above.

If notified in advance, the department will have an interpreter available for the hard of hearing. To contact the department for this or any other reason, members of the public with a hearing impairment may call the TDD service at 1-800-766-3777. All public meeting areas are accessible to those who are physically disabled.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the Commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations to be heard during the regulatory hearing portion of the meeting are:

115-17-15. Sale and purchase of game animals. This would be a new permanent regulation incorporating under current regulatory structure the components of K.A.R. 23-19-1, which is proposed for revocation. The only change would allow dropped antlers to be possessed and would authorize the sale of the antlers.

Economic Impact Summary: This regulation continues the provisions of K.A.R. 23-19-1 and there would be no impact, except the provision to allow possession and sale of dropped antlers would provide income to some individuals finding trophy antlers.

115-18-9. Furharvester license; unlicensed observer and restrictions. This would be a new permanent regulation incorporating under current regulatory structure the components of K.A.R. 23-6-8, which is proposed for revocation. The unlicensed observer's activities would be limited to observing dogs with the intent to purchase the dogs.

Economic Impact Summary: This regulation continues the provisions of K.A.R. 23-6-8 and there would be no impact. The restriction will meet original intent of the regulation.

115-18-10. Importation and possession of certain wildlife. This would be a new permanent regulation incorporating under current regulatory structure the components of K.A.R. 23-16-1, which is proposed for revocation. The regulation provides for issuance of wildlife importation permits for experimental, scientific, display or for other purposes subject to conditions and restrictions specified in the permit. Permit application procedures are specified.

Economic Impact Summary: Providing for the use of prohibited species for "other purposes" will enable some individuals to use those species in commercial ventures. The economic value to those individuals is unknown. It is estimated the department will issue 20 such permits for "other purposes" at \$10.50 per permit. Development of permit restrictions will be borne by the department.

115-21-3. Provisional guides; registration and reporting. This new permanent regulation provides for a registration process and for reporting of guide activities if requested by the secretary. No charge is established for registration.

Economic Impact Summary: Minimal impact will be noted by provisional guides as a result of the application process and reporting requirements. Administrative costs will be borne by the department and are expected to be insignificant.

115-30-8. Boating, accident reports. This permanent regulation is proposed for amendment. It incorporates a \$500 minimum damage threshold for reporting boating accidents. Information to be contained in an accident report is specified.

Economic Impact Summary: No economic impact is anticipated.

23-4-1. Issuance of warning citations. This permanent regulation is proposed for revocation. K.S.A. 1992 Supp. 32-808 as amended by L. 1993, Chapter 150, Section 1 provides for warning citations; therefore, K.A.R. 23-4-1 is no longer necessary.

Economic Impact Summary: No impact will occur.

23-6-8. Furharvester—authorization for unlicensed observer. This permanent regulation is proposed for revocation. The provisions of this regulation are continued in K.A.R. 115-18-9, which is proposed for adoption.

Economic Impact Summary: No impact will occur as a result of revocation.

23-16-1. Importation and possession of certain wildlife. This permanent regulation is proposed for revocation. The provisions of this regulation are contained in K.A.R. 115-18-10, which is proposed for adoption.

Economic Impact Summary: No impact will occur as a result of revocation.

23-19-1. Sale and purchase of legally acquired non-migratory game birds and game animals. This permanent regulation is proposed for revocation. The provisions of this regulation are contained in K.A.R. 115-17-15, which is proposed for adoption.

Economic Impact Summary: No impact will occur as a result of revocation.

115-9-1. Licenses, stamps, permits and other department issues; procedures, form and content, and applications. This permanent regulation is proposed for revocation. The regulation has proven to be unnecessary and it was recommended by the Joint Legislative Committee on Administrative Rules and Regulations for revocation.

Economic Impact Summary: No impact will occur as a result of revocation.

James Holderman Chairman

Doc. No. 013895

State of Kansas

### Secretary of State

# Notices of Places and Dates of Voter Registration

In compliance with the provisions of K.S.A. 25-2310, 25-2311, 25-2313, 25-2316c and 25-2323, the books for registration of voters will open at the following places at the time specified:

Office of the Kansas Secretary of State, second floor, State Capitol, Topeka, from 8 a.m. to 5 p.m. every business day.

Industrial Building, exhibit space IB-193 and IB-194, Kansas State Fairgrounds, Hutchinson, from 1 p.m. to 9 p.m. Friday, September 10; from 9 a.m. to 9 p.m. Saturday, September 11 through Saturday, September 18; and from 9 a.m. to 8 p.m. Sunday, September 19.

If you are a citizen of the United States and are age 18 or older, or if you will be 18 by November 8, 1994, you must register before you can vote. Registration closes 14 days prior to every election.

If you have moved, changed your name or failed to vote in any general election since you registered to vote, you might need to re-register. If any of these events have taken place, you should contact your county election officer to determine your status and update your registration.

To register to vote, you may apply in person, by telephone, or by mail to the Secretary of State or your county election officer. Application forms will be provided by the county election officer upon request in person or in writing by an individual applicant. The application shall be signed by the applicant under penalty of perjury.

Bill Graves Secretary of State

### **Board of Technical Professions**

### Notice of Meeting

The State Board of Technical Professions will meet Thursday, September 16 and Friday, September 17 at the Shawnee Country Club, 913 E. 29th, Topeka. The Professional Engineer and Land Surveyor Committee will meet in the Private Dining Room East and the Architect and Landscape Architect Committee will meet in the Private Dining Room West at 1 p.m. September 16. The full board will meet at 8 a.m. September 17 in the Private Dining Room East. The meetings are open to the public.

> Betty L. Rose **Executive Director**

Doc. No. 013884

### State of Kansas

### Department of Health and Environment

### Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, September 28, in the SRS Staff Development Training Center, State Complex West, 300 S.W. Oakley, Topeka. The meeting is open to the public. Telephone Hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; the Pittsburg Office of Surface Mining; the Wyandotte County Health Department; and the Johnson County Health Department. Any person requiring visual or communication aid or assistance, building access assistance or other similar assistance should contact Mary Ann Cummings at (913) 296-0461 immediately so appropriate arrangements can be made.

The proposed agenda includes:

Secretary's remarks.

- Reports by directors of Health and Environment.

- Adoption of rules and regulations:

Article 29.—Solid Waste Management New Temp./Perm.—K.A.R. 28-29-84 through 28-29-97 (reserved) K.A.R. 28-29-98 and 28-29-99

Article 30.—Water Well Contractors License; Water Well Construction and Abandonment

Amendments: K.A.R. 28-30-2 and 28-30-3 Article 44.—Petroleum Products Storage Tanks Amendments: K.A.R. 28-44-28 and 28-44-29

K.A.R. 28-44-30

Robert C. Harder Secretary of Health and Environment

Doc. No. 013898

### State of Kansas

### Department of Health and Environment

### Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

### Public Notice No. KS-AG-93-92/96

Receiving Name and Address Legal Water of Applicant Description SW/4, Sec. 3, Dean Carter Arkansas River Route 2, Box 32 T18S, R9W, Rice Basin Geneseo, KS 67444 County Kansas Permit No. A-ARRC-M002

The feedlot has capacity for approximately 85 head dairy cattle with a contributing drainage area of approximately 1.8 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 1.4 acre-feet.

Compliance Schedule: The waste management plan developed by SCS and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If routine testing is not conducted, wastes shall be applied to at least 23 acres per year at rates not to exceed 16,500 gallons per acre (0.6 inch/acre).

Name and Address Receiving Legal of Applicant Water Description Missouri River Holder Swine NE/4 Sec. 5, T3S, Myron Holder R19E, Doniphan Basin Box 8-C County Highland, KS 66035

Kansas Permit No. A-MODP-S013

The existing facility has the capacity for approximately 2,000 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address Legal Receiving Description of Applicant Water Fort Hays State University SW/4, Sec. 32, Smoky Hill River Dairy, Mike Gould T13S, R18W, Ellis Basin 600 Park St. County Hays, KS 67601 Kansas Permit No. A-SHEL-M001

The feedlot has capacity for approximately 200 cattle and a contributing drainage area of approximately 1 acre. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 1.6 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address Legal Receiving
of Applicant Description Water

Gary Diepenbrock N/2, Sec. 10, T18S, Neosho River
Route 2 R4E, Marion Basin

Lincolnville, KS 66858 County

Kansas Permit No. A-NEMN-C002 Federal Permit No. KS-0090085

The feedlot has capacity for approximately 2500 cattle with expansion planned for an additional 1000 cattle and a contributing drainage area of approximately 21.2 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 30.7 acre-feet.

Compliance Schedule: None

Name and Address Legal Receiving of Applicant Description Water

Black Diamond Custom Secs. 31 & 32, Neosho River
Feeders, Inc. T15S, R6E, Morris Route 1, Box 117 County

Herington, KS 67449

Kansas Permit No. A-NEMR-C001 Federal Permit No. KS-0117218

The feedlot has capacity for approximately 19,150 swine and 13,000 cattle. The cattle lot has a contributing drainage area of approximately 149 acres. This is an expansion of an existing facility. Compliance Schedule: None, existing controls adequate.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before October 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-93-92/96) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact

sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division

of Environment.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013899

### State of Kansas

# Department of Commerce and Housing

### Notice Concerning Kansas Small Cities CDBG Program

Public notice is hereby given that according to Title I of the Housing and Community Development Act of 1974, as amended and in compliance with Sections 104(a)(2)(D) and (E) of the Act:

"(e) Each grantee [i.e. the State of Kansas] shall submit to the Secretary [i.e. of the U.S. Department of Housing and Urban Development], at a time determined by the Secretary, a performance and evaluation report concerning the use of funds made available under Section 106, together with an assessment by the grantee of the relationship of such use to the objectives identified in the grantee's statement under subsection (a) and to the requirements of subsection (b)(3). Such report shall also be made available to the citizens in each grantee's jurisdiction in sufficient time to permit such citizens to comment. on each report prior to its submission, and in such manner and at such times as the grantee may determine. The grantee's report shall indicate its programmatic accomplishments, the nature of the reasons for changes in the grantee's program objectives, indications of how the grantee would change its programs as a result of its experiences and an evaluation of the extent to which its funds were used for activities that benefitted low- and moderate-income persons. The report shall include a summary of any comments received by the grantee from citizens in its jurisdiction respecting its program."

Submission of the Performance and Evaluation Report deadline to HUD is prior to September 30, 1993.

Written comments on the Performance and Evaluation Report will be received until 5 p.m. Friday, September 24, in the offices of the Kansas Small Cities CDBG Program, 700 S.W. Harrison, Suite 1300, Topeka 66603-3712. The document also may be obtained or reviewed at that address.

Bob Knight Secretary of Commerce and Housing

(Published in the Kansas Register, September 9, 1993.)

Notice of Redemption to the holders of Finney County, Kansas Single Family Mortgage Revenue Bonds 1980 Series A Serial Maturities Due October 1, 1993 through October 1, 1999 and Term Bonds Due October 1, 2009

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated as of January 1, 1980, \$1,130,000 principal amount of bonds has been drawn pro rata between maturities and by lot within each maturity, for redemption at par on October 1, 1993.

maturity, for redemption at par on October 1, 1993.
Coupon bonds for \$5,000 denominations called in full, bearing Cusip No. 318037 and Suffix:

AN8	861	1037	1222	1515	1691	2877
690	AQ1	1053	AT5	1523	1695	2950
694	889	1060	1265	1535	1699	2988
702	894	1087	1272	1549	AV0	3004
739	902	1092	1383	1552	1760	3106
760	915	1094	AU2	1557	1771	3110
AP3	930	AS7	1401	1566	1776	3225
790	935	1114	1424	1590	1820	3237
801	936	1132	1436	1601	1872	3276
802	969	1138	1448	1604	2035	3323
807	AR9	1170	1453	1606	2427	14 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
815	992	1178	1455	1640	2682	ી કેઇ .
816	995	1191	1493	1680	2740	25 . 20
835	1032	1201	1506	1687	2824	. 843

The serial numbers of the registered bonds to be redeemed bearing Cusip No. 318037, in whole or in part, and the principal amount to be redeemed are as follows:

Bond	Par	Amount	National substance
Number	Amount	Called	Suffix
R328	\$ 5,000	\$ 5,000	AN8
R390	5,000	5,000	AN8
R391	25,000	10,000	AS7
R176	5,000	5,000	AT5
R177	5,000	5,000	AT5
R339	25,000	20,000	AT5
R413	25,000	5,000	AT5
R414	15,000	5,000	AT5
R198	15,000	5,000	AV0
R202	10,000	5,000	AV0
R222	10,000	5,000	AV0
R275	5,000	5,000	AV0
R283	500,000	500,000	AV0
R335	10,000	5,000	AV0
R393	70,000	65,000	AV0
R397	20,000	10,000	AV0
R398	10,000	5,000	AV0
R401	60,000	5,000	AV0
R404	5,000	5,000	AV0
R409	10,000	5,000	AV0
R417	45,000	5,000	AV0
R418	15,000	5,000	AV0
R420	20,000	10,000	AV0
and the second second			

Coupon bonds with the October 1, 1993, and all subsequent coupons attached, and registered bonds called in full or in part, should be presented to:

By Mail:
Continental Bank, National Association
Attn: Corporate Trust Operations
231 S. LaSalle, 19th Floor
Chicago, IL 60697

By Hand: Continental Bank, National Association Attn: Corporate Trust Operations 230 S. Clark, 19th Floor Chicago, IL 60697

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before October 1, 1993, to the above address. Sending certificates by registered mail is suggested.

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. Interest on the bonds or portion of bonds called for redemption will cease to accrue on October 1, 1993.

Withholding of 31 percent of gross redemption proceeds of any payment made within the United States is required by applicable federal law effective January 1, 1993, unless the paying agent has the correct tax-payer identification number (social security or employer identification number) or exemption certificate of the payee. You must furnish a properly completed IRS Form W-9 when presenting your securities to avoid the 31 percent withholding unless such form has been provided previously.

Dated September 1, 1993.

By: Continental Bank, National Association as Trustee

Doc. No. 013883

### State of Kansas

# Department of Administration Division of Purchases

### Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

### Monday, September 20, 1993

29869

Statewide—Key telephone systems

29901

Rainbow Mental Health Facility—Laboratory services

ฐ จากกระห์สาราช เพลาสุดและ 18 **29905** จากโลย 19

University of Kansas—Snow removal services

State Corporation Commission—Security guard services

29920

Kansas Correctional Industries—31/2 and 6 gallon containers

97173

Adjutant General's Department—Aggregate, Fort Riley

97183

Adjutant General's Department—Furnish and install trees, McConnell AFB

97184

Adjutant General's Department—Furnish all labor and materials to replace windows and siding, Fort Riley

97185

Adjutant General's Department—Furnish all labor and materials for remodeling, Wichita

97198

University of Kansas-Paper, printing and binding

Tuesday, September 21, 1993

A-7200

Kansas Neurological Institute—Replace roof over maintenance shop and lumber shed

29900

Statewide—Fluorescent and HID ballasts

29915

Statewide—Cookies and crackers

97161

Lansing Correctional Facility—Furnish and install electronic control panels

97162

Adjutant General's Department—PVC coated fence fabric, McConnell AFB

97190

Adjutant General's Department—Furnish all labor and materials for electrical work, Fort Riley

97199

Kansas State University—Corn

Wednesday, September 22, 1993

A-7195

Winfield State Hospital and Training Center— Repair, tuckpoint and waterproof

29912

Norton Correctional Facility—Cleaning chemicals and supplies

29913

Statewide—Institutional clothing

97169

Kansas State University—Tape backup upgrade

97170

Kansas Highway Patrol—Aircraft

97191

Adjutant General's Department—Furnish all labor and materials for excavation and replacement of materials, Wichita

Thursday, September 23, 1993

A-7121

University of Kansas-Remodel lab, Lindley Hall

97174

Department of Transportation—Bituminous plant mix, Kansas City

97178

Adjutant General's Department—Furnish all labor and materials to construct entrance drive, Salina

97179

Adjutant General's Department—Furnish and install fencing and security controls

97181

Adjutant General's Department—Furnish and install water treatment and reclaim system, Hutchinson

97182

Adjutant General's Department—Furnish and install paint booth

Friday, September 24, 1993

A-7166

Larned State Hospital—Replace roof on garage/salt storage

A-7232

Fort Hays State University—Reroofing and roof repairs

97192

Adjutant General's Department—Furnish all labor and materials for excavation and replacement of materials, Wichita

97193

Adjutant General's Department—Furnish all labor and materials to construct dumpster pads, Fort Leavenworth

97194

Adjutant General's Department—Furnish all labor and materials for renovation

97195

Adjutant General's Department—Furnish all labor and materials to construct parking areas, Salina

Tuesday, September 28, 1993

A-6840(a)

University of Kansas—Lightning protection improvements

29722

Statewide—Surgical instruments (Class 05)

Monday, October 18, 1993 29911

Department of Human Resources—Sale of real estate

Request for Proposals Thursday, September 30, 1993 29921

Computer programmer assistance for the Department of Transportation

Monday, October 18, 1993

29910

Educational services for Topeka State Hospital

Jack R. Shipman Director of Purchases

Doc. No. 013889

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### Kansas Racing Commission

### Permanent Administrative Regulations

### Article 4.—OCCUPATION AND CONCESSIONAIRE LICENSES

112-4-1. Occupation licenses. (a) Before engaging in the following occupations at a racetrack facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

(1) Administration;

(2) administrative support;

(3) admission/parking attendant;

(4) amateur jockey;

(5) announcer;

(6) apprentice jockey;

(7) assistant racing secretary;

(8) assistant starter; (9) assistant trainer;

(10) authorized agent;

(11) blacksmith/plater/farrier;

(12) breed registry;

(13) brakeman;

(14) chart writer;

(15) clerk of scales;

(16) clocker/assistant clocker;

(17) colors attendant;

(18) concession employee;

(19) concession operator;

(20) director of racing;

(21) director of security;

(22) driver;

(23) exercise person;

(24) general manager/assistant general manager;

(25) groom/hot walker; (26) horseman's bookkeeper;

(27) horseman/kennel representative;

(28) identifier;

(29) jockey;

(30) jockey agent;

(31) jockey guild manager/representative;

(32) jockey room attendant;

(33) kennel helper;

(34) kennel master;

(35) kennel owner;

(36) lead out;

(37) lure operator;

(38) maintenance;

(39) medical attendant;

(40) mutuel employee;

(41) mutuel manager;

(42) official;

(43) outrider;

(44) owner, horse/greyhound;

(45) owner/assistant trainer;

(46) owner/trainer;

(47) owner/trainer/driver;

(48) owner by open claim;

(49) paddock attendant;

(50) paddock judge;

(51) patrol judge;

(52) photo finish operator;

(53) pony person;

(54) practicing veterinarian;

(55) practicing veterinarian technician or assistant;

(56) program manager;

(57) promotion manager;

(58) racing judge;

(59) racing secretary;

(60) security;

(61) selection sheet operator;

(62) service provider;

(63) starter;

(64) steward;

(65) testing technician;

(66) timer;

(67) totalisator employee;

(68) track superintendent;

(69) trainer;

(70) valet;

(71) video operator; and

(72) any other personnel designated by the

commission.

(b) Each applicant for an occupation license shall apply in writing on the application form approved and

furnished by the commission.

(c) Each applicant for an occupation license acting as an employer shall submit proof of compliance with the workers compensation act of the state of Kansas,

K.S.A. 44-501 et seq.

(d) Each person who is appointed by an owner to act as an authorized agent shall secure an occupation license. Each authorized agent agreement form shall be filed with the commission. Each authorized agent shall perform for the owner only the duties that are the subject of the authorized agent agreement form. Each authorized agent shall notify the commission in writing when the authorized agent agreement is terminated.

(e) Each applicant for an occupation license shall not knowingly provide false information on any occupation

license application form.

(f) Each applicant for an occupation license shall not fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses an occupation license shall immediately:

(1) notify the commission office at the racetrack facility;

(2) secure a duplicate license; and

(3) pay the required fee.

(i) Each required fee shall be paid when the occupation license is issued. Each occupation license issued by the commission shall be valid for the period commencing January 1 and terminating December 31 of the calendar year in which the occupation license is issued.

(j) Any applicant may be required to submit with the application at least two complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(k) Each applicant for an occupation license must be at least 16 years old. However, this provision shall not preclude dependent children under the age of 16 from

working for a parent or guardian when the parent or guardian is licensed as a kennel owner, trainer or assistant trainer and approval has been obtained from the organization licensee. Each licensed trainer at a horse or greyhound racetrack facility or assistant trainer at a horse racetrack facility shall be at least 18 years of age. Each racing official, security employee and mutuel employee shall be at least 18 years of age.

(l) Each employer at a racetrack facility shall ensure that every employee is properly licensed and shall immediately notify the commission office at the racetrack facility and the organization licensee when a licensee's employment status changes or when an employee is terminated. Each employer shall make an effort to secure the employee's occupation license and, if the license is secured, shall deliver the license to the commission office at the racetrack facility. (Authorized by K.S.A. 1992 Supp. 74-8804; implementing K.S.A. 1992 Supp. 74-8804 and 74-8816; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-12-30-91, Dec. 30, 1991; amended Feb. 24, 1992; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992; amended Feb. 15, 1993; amended, T-112-7-22-93, July 22, 1993; amended Oct. 25, 1993.)

112-4-24. Qualifications for amateur jockey. Each person granted an amateur jockey occupation license shall:

(a) be at least 16 years old;

(b) meet all qualification rules for membership to the amateur riders' club of the Americas (ARCAS) as currently contained in the membership application form amended in December 1992;

(c) hold a current amateur rider's license from AR-

CAS and be a current member of ARCAS;

(d) weigh no more than 142 pounds;

(e) not hold a current license as a jockey or ap-

prentice jockey;

(f) submit proof of a satisfactory physical examination given by a person licensed to practice medicine and surgery within the previous 12 months. As required by K.A.R. 112-7-20 and K.A.R. 112-14-10, the physical examination shall include visual acuity and hearing examinations. A reexamination of any amateur jockey may be required by the commission or the stewards at any time. An amateur jockey may be prohibited from riding by the commission or the stewards until the jockey has successfully passed each examination;

(g) wear properly fastened safety helmets while mounted on a race horse within the enclosure or riding

in a race; and

(h) meet all licensing requirements stated in these racing regulations. (Authorized by K.S.A. 1992 Supp. 74-8804; implementing K.S.A. 1992 Supp. 74-8816; effective, T-112-7-22-93, July 22, 1993; effective Oct. 25, 1993.)

Janet Chubb Executive Director

Doc. No. 013885

State of Kansas

### The Kansas Lottery

# Temporary Administrative Regulations

### Article 2.—LOTTERY RETAILERS

111-2-27. "Club Keno" sales promotion. In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery may also offer the following as bonus incentives to enhance the sale of "Club Keno" and "Keno Plus" tickets:

(a) The "Club Keno" and "Keno Plus" sales promotion will commence at 6:00 a.m. on September 9, 1993, and end at 11:59:59 p.m. on November 17, 1993.

(b) Each on-line retailer will be assigned a sales level designation, A through E, based upon retailers' "base sales average." The "base sales average" is arrived at by computing retailers' average "Club Keno" or "Keno Plus" sales for the four week period beginning July 1, 1993 and July 28, 1993. For new on-line retailers, starting on-line sales after July 1, 1993, the "base sales average" will be the week with the highest "Club Keno" sales occurring between July 1, 1993, and September 9, 1993. New on-line retailers starting on-line sales after September 1, 1993 are not eligible for this promotion.

(c) Each sales level will be determined as follows:

### SALES LEVEL AVERAGE WEEKLY "CLUB KENO" SALES

Α	100		\$2,000.00 and Up
В			\$1,125.00 to \$1,999.99
C		1.24	\$750.00 to \$1,124.99
D	1 + 5		\$250.00 to \$749.99
Ε	** : ***		\$0.00 to \$249.99

(d) Retailers with a sales average under \$50.00 per week will be assigned a base sales average of \$50.00

for purposes of this promotion.

(e) There are four cash prizes in each sales level, first, second, third and fourth prizes. At the termination of the on-line sales promotion, retailers in each of the five sales levels will be ranked according to each retailer's cumulative per cent of sales increase between the base period and the ten-week promotion period to the nearest fraction of a per cent necessary to determine a winner. The retailer in each sales level with the greatest percentage increase will be the first prize winner, second highest percentage increase will be the second prize winner, third highest percentage increase will be the fourth highest percentage increase will be the fourth prize winner.

(f) The prize winnings will be distributed as follows:

Sales Level	Prize	Prize	Prize	Prize
Α	\$1,500	\$750	\$450	\$300
В	\$1,000	\$500	\$300	\$200
C	\$1,000	\$500	\$300	\$200
D	\$1,000	\$500	\$300	\$200
<b>. E</b>	\$ 500	\$250	\$150	\$100

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

### Article 4.—INDIVIDUAL GAME RULES

# RULES FOR INSTANT GAME NO. 29 "COLD CASH"

**111-4-241.** (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-11-29-90, Nov. 16, 1990; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-242. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-11-29-90, Nov. 16, 1990; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-243. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1989 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-11-29-90, Nov. 16, 1990; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-244. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective, T-111-11-29-90, Nov. 16, 1990; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 30 "JACKPOT"

111-4-245. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-2-1-91, Jan. 18, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-246.** (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-2-1-91, Jan. 18, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-247.** (Authorized by K.S.A. 1989 Supp. 74-8710(b)&(c); implementing K.S.A. 1989 Supp. 74-8710(b)&(c) and 74-8720; effective, T-111-2-1-91, Jan. 18, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-248. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f) and 74-8720; effective, T-111-2-1-91, Jan. 18, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 33 "HIGH CARD"

111-4-287. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-5-28-91, May 24, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-288. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-5-28-91, May 24, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-289. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1989 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-5-28-91, May 24, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-290. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f) and 74-8720; effective, T-111-5-28-91, May 24, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

### "RAILROAD DAYS DRAWINGS"

111-4-322. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-323. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-324. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-325. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710(b); effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-326. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-327. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-29-91, Aug. 23, 1991; revoked, T-111-8-26-93, Aug. 20, 1993.)

### BIRTHDAY GAME SHOW

111-4-336. Birthday game show. The Kansas lottery shall conduct a televised "Birthday Game Show" at 6:30 p.m., Central Time, on November 6, 1993. The show shall be produced by KSNW-TV of Wichita, Kansas. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

111-4-337. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 et seq.) and lottery regulations are hereby incorporated by reference.

(b) "Birthday Game Show" means the televised show in which the participants have been selected at drawings conducted by the the Kansas lottery have an opportunity to win various prizes as described in K.A.R. 111-4-340.

(c) "Non-winning ticket" means any valid "\$100,000 Birthday Game" instant lottery ticket not eligible to win a prize pursuant to K.A.R. 111-4-501 through 111-4-504. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

111-4-338. Entry into drawing. Entry into the "Birthday Game" drawing is accomplished by a player following the process detailed in these subparagraphs:

(a) Obtain five valid Kansas "\$100,000 Birthday Game" instant lottery tickets. Only "\$100,000 Birthday

Game" tickets will be eligible.

(b) Determine if the tickets are winning tickets in accordance with K.A.R. 111-4-334 instant game rules. If a ticket is a winning ticket, it is not eligible for the "Birthday Game" drawing and shall be redeemed in accordance with K.A.R. 111-4-334.

(c) If the tickets are valid non-winning "\$100,000 Birthday Game" tickets, the holder of five such tickets may enter the "Birthday Game" drawing.

(d) Complete the information form on the back of at least one of the five tickets in a legible manner.

(e) Place the five tickets into a business envelope and mail them to "Kansas Lottery Birthday Game,"

P.O. Box 738, Topeka, Kansas 66601-0738. Entries may also be delivered during regular business hours and placed in the receptacle provided at any of the Kansas lottery's regional offices at the following locations: 3112 West Central, Wichita, KS; 3007 West 10th, Great Bend, KS; and 128 N. Kansas, Topeka, KS.

(f) There is no limit on the number of entries a per-

son may make.

(g) All non-winning valid "Birthday Game" tickets must be received by the lottery at locations identified in subsection (e) by 5:00 p.m., Friday, October 29, 1993, to be eligible for entry into the "Birthday Game" drawing. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

111-4-339. Birthday Game drawing. (a) To determine those who will be eligible for prizes, the Kansas lottery shall conduct one "Birthday Game" drawing in connection with the televised "Birthday Game" show which will be broadcast at 6:30 p.m. on Saturday, November 6, 1993.

(b) The "Birthday Game" drawing shall be conducted at the Kansas lottery headquarters at 128 N. Kansas, Topeka, Kansas, at 1:00 p.m. on October 30, 1993.

- (c) The drum or receptacle containing the non-winning tickets shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel to ensure random selection.
- (d) The selection of "Birthday Game" drawing winners shall be accomplished by an individual designated by the executive director, using a bare arm technique, removing only one envelope from the drum or receptacle in which all entries were placed. The person drawing the envelope shall show the name of the winner to the security person and the drawing manager present for verification. This process shall be repeated until six valid entries have been drawn. The first six valid entries selected will be the "finalists" eligible for participation in the "Birthday Game" television show.

(e) After the finalists have been selected and the drum or receptacle is again rotated or mixed as specified in (c), an additional 100 names will be drawn for

home viewer prizes.

(f) A person whose valid ticket has been drawn in any "Birthday Game" show drawing conducted pursuant to K.A.R. 111-4-336 et seq. shall be determined a winner, but regardless of the number of entries a person whose name appears on an entry has made, he or she shall not be eligible to win more than one prize. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-10-27-92, Sept. 11, 1992; amended, T-111-8-26-93, Aug. 20. 1993.)

111-4-340. Prizes. Prizes awarded on the televised "Birthday Game Show" shall include, but are not limited to, the following:

WINNERS		100	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	2	PRIZES
(a) Grand priz	e winner	Brack Fred		3+	\$100,000
(b) Second	v				\$ 20,000
					T _0,000

(c)	Third	State of States	\$ 8,000
(d)	Fourth		\$ 8,000
(e)	Fifth	San Brigadian	\$ 8,000
(f)	Sixth		\$ 8,000
(g)	Grand Prize studio partner		\$ 8,000
(h)	Second place studio partner	5 1 4 5 1 2 4 5 1 3	\$ 5,000
(i)	Third place studio partner	ender the second	\$ 1,000
(j)	Fourth place studio partner	talian in the state	\$ 1,000
	Fifth place studio partner		\$ 1,000
(1)	Sixth place studio partner		\$ 1,000
(m)	Home Viewers	\$50	or \$100 each
(n)	KFDI Country Fair drawing	winner	A Section 1988
: 1	(10 prizes of \$100 each)		\$100—\$1,000

(Authorized by and implementing K.S.A. 74-8710(c); effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

111-4-341a. Televised procedure. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-27-92, September 11, 1992, revoked, T-111-8-26-93, August 20, 1993.)

111-4-341b. Entry into drawing for studio audience partners and country fair drawings. The Kansas lottery will conduct a second chance drawing from among valid non-winning "Birthday Game" tickets including "Entry" tickets to select six players to be eligible for various cash prizes as studio audience partners for the "\$100,000 Birthday Game" Show.

(a) Non-winning "Birthday Game" tickets may be deposited in the Kansas lottery receptacles at the KFDI Country Fair at the Kansas Coliseum Pavilion in Wichita, Kansas on November 5, 1993, from 10:00 a.m. until 8:00 p.m. and November 6, 1993, from 10:00 a.m. until 5:30 p.m., at which time the drum will be closed by the lottery security representative present. Players may enter as often as they wish.

(b) A random drawing from the above entries placed in a drum by lottery security will be conducted at 5:30 p.m. November 6, 1993, at the Coliseum Pavilion pur-

suant to K.A.R. 111-3-1 et seq.

(c) Immediately after the six names are drawn, the validity of the ticket is determined by the lottery security representative present, the names of the studio audience partners shall be announced. Studio audience partners must be present to participate and win. Each entrant announced shall have five minutes to come forward and identify himself or herself to the lottery representative conducting the drawing. Should the lottery security representative present determine that an entrant whose name was drawn has not appeared within the time specified, additional entries will be drawn until all six studio audience partners have appeared. Each additional entry drawn, if necessary, shall replace the studio partner entrant in the position of the entrant who fails to appear.

(d) The six studio audience partners shall be paired in the order their names were drawn with finalists in the order the finalists' names were drawn, and prizes awarded studio partners will be based on the order of finish of the finalist with whom each studio partner was paired as shown in K.A.R. 111-4-340.

(e) The drum shall be reopened from 6:00 p.m. to 7:30 p.m. Non-winning "Birthday Game" tickets may

be deposited until 7:30 p.m. Players may enter as often as they wish.

(f) A random drawing from the above entries shall be conducted. Then non-winning "Birthday Game" tickets shall be drawn. Each holder shall win \$100. The winner does not need to be present to win. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-10-27-92, Sept. 11, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

111-4-344. Watch 'N Win drawing. (a) In addition to the six entries selected pursuant to K.A.R. 111-4-338, there shall be an additional 100 tickets drawn at the drawings for the selection of participants for the "Watch 'N Win" segments of televised "Birthday Game Show." The drawing shall take place on October 30, 1993.

(b) The 100 additional names shall appear on the television screen during the show. Any of those 100 winners calling the lottery at 913/296-5700 by 2:00 p.m. the following Wednesday shall win \$100. Those who do not call in by that time shall receive \$50.

(c) A claim form will be sent to the winners and

will be verified upon receipt by the lottery.

(d) In the event the show or any portion of it is not televised due to unforeseen difficulties which render the televised broadcast impossible, entries of potential "Watch 'N Win" winners drawn for that particular episode but not broadcast on the show, shall receive \$100 each. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-10-3-91, Sept. 16, 1991; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 39 "HOOPS"

**111-4-366.** (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-1-16-92, Jan. 16, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-367.** (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-1-16-92, Jan. 16, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-368. (Authorized by K.S.A. 1990 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1990 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-1-16-92, Jan. 16, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-369. (Authorized by K.S.A. 1990 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-1-16-92, Jan. 16, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 41 "CASH ROULETTE"

**111-4-384.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-385.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-386.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-

8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-3-5-92, Feb. 21, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-387. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 42 "BASEBALL"

111-4-388. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-3-24-92, March 20, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-389. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-3-24-92, March 20, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-390. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-3-24-92, March 20, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-391.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-3-24-92, March 20, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 44 "SLOTS"

**111-4-401.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-21-92, May 15, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-402. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-21-92, May 15, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-403. (Authorized by K.S.A. 1991 Supp. 74-8710(b) & (c); implementing K.S.A. 1991 Supp. 74-8710(b) & (c) and 74-8720; effective, T-111-5-21-92, May 15, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-404. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-5-21-92, May 15, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 45 "SUNFLOWER DOUBLER"

111-4-429. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-6-16-92, June 10, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-430.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-6-16-92, June 10, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-431.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-6-16-92, June 10, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-432. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-(continued)

8710(b), (c) & (f) and 74-8720; effective, T-111-6-16-92, June 10, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 46 "SHADES OF FUN"

**111-4-433.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-7-1-92, June 26, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-434.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-7-1-92, June 26, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-435.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-7-1-92, June 26, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-436.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-7-1-92, June 26, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 47 "\$100,000 BIRTHDAY GAME"

**111-4-437.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-438.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-439.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-9-1-92, Aug. 28, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

111-4-440. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-9-1-92, Aug. 28, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

# RULES FOR INSTANT GAME NO. 49 "HOLIDAY CASH"

**111-4-445.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-27-92, Sept. 11, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-446.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-27-92, Sept. 11, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-447.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720(b) & (d); effective, T-111-10-27-92, Sept. 11, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

**111-4-448.** (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f) and 74-8720; effective, T-111-10-27-92, Sept. 11, 1992; revoked, T-111-8-26-93, Aug. 20, 1993.)

### HEARTLAND PARK FALL DRAWINGS

111-4-513. Name of drawings. The Kansas Lottery shall conduct a series of drawings, entitled the "Heart-

land Park Fall Drawings." The "Heartland Park Fall Drawings" shall take place on Sunday, October 3, 1993 during the "NHRA Sears Craftsman Nationals" at Heartland Park, 1805 SW 71st, Topeka, Kansas 66619. Rules applicable are contained in K.A.R. 111-3-1 et seq. and 111-4-513 through 111-4-521. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-4-514. Prerequisites for a drawing. Before the "Heartland Park Fall Drawings" may be validly conducted, a location and the receptacle(s) or drum(s) must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-4-515. Prizes. The winners selected at the "Heartland Park Fall Drawings" conducted pursuant to K.A.R. 111-4-513 et seq. shall receive prizes as follows.

Twelve tickets shall be drawn, one at a drawing prior to each race final. Prizes shall be determined by the winning driver's speed in each of the twelve different classes with the winning dollar amount representing the actual speed of the winning driver with the minimum and maximum dollar amounts as follows:

Class	Minimum Dollar Amount	Maximum Dollar Amount
Top Fuel Dragster	250	325
Top Fuel Funny Car	225	325
Pro Stock	125	225
Pro Bike	125	225
Top Alcohol Dragster	175	275
Top Alcohol Funny Car	150	275
Competition Eliminator	125	225
Super Stock	<i>7</i> 5	175
Stock	<i>7</i> 5	150
Super Street	<i>7</i> 5	150
Super Gas	50	150
Super Comp	100	200

All prize awards are subject to lottery validation, setoffs and deductions provided by law. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-4-516. Entry into drawings. Entry into the "Heartland Park Fall Drawings" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Heartland Park Fall Drawings," and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning a drawing and the holder of the ticket may enter the "Heartland Park Fall

Drawings."

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it.

(e) The holder of the ticket need not be present to win at the time of the "Heartland Park Fall Drawings."

(f) There is no limit to the number of entries a participant may make.

(g) For the racing events occurring on October 3, 1993, the receptacle(s) or drum(s) shall open at 8:00 a.m. and close immediately preceding the final racing events identified in K.A.R. 111-4-515 on October 3,

770.

(h) The holder of a non-winning ticket must take each non-winning ticket with the information form on the back completed, to the location of either of two receptacle(s) or drum(s) at the "Heartland Park Drawings" and place it in the receptacle(s) or drum(s) provided by the lottery.

- (i) On Sunday, October 3, 1993, the Kansas lottery will sponsor its "Heartland Park Fall Drawings." Players enter the drawings by placing non-winning tickets into either of the two receptacle(s) or drum(s) located inside the admission gate at Heartland Park. One will be located inside the admission gate in the concession area on the west side of the track, and the second will be near the pit area. Twelve tickets will be drawn from the combined contents of the two receptacle(s) or drum(s). Following validation by lottery security personnel, the winners' names shall be announced.
- (j) Prior to the Heartland Park drawings for prizes on October 3, 1993, set forth in K.A.R. 111-4-515 or 111-4-521, the contents of the receptacle(s) or drum(s) shall be combined under the supervision of lottery personnel present, and the drawings shall be from the receptacle or drum containing all the tickets. Drawings shall be held at the lottery selling location on the west side of the track. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993.)
- 111.4.517. Determination of winners. (a) The receptacle or drum shall be sealed and mixed to ensure random selection.
- (b) The executive director shall designate one individual of his choice to participate in the selection process.
- (c) The selecton of the "Heartland Park Fall Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket at a time from the combined contents of the receptacle(s) or drum(s) for each of the twelve drawings. Lottery security shall review the selected ticket to determine if the ticket is valid and the name stated on the information form located on the back of the selected ticket is legible. If the ticket is valid and the name is determined to be legible the name shall be announced to the audience.

(d) The named person need not be present at a drawing, but must in any event provide proper identification in order to claim the "Heartland Park Fall

Drawings" prize.

(e) The person whose valid ticket has been drawn from the receptacle or drum shall be determined the "Heartland Park Fall Drawings" winner, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Heartland Park Fall Drawings" has made, he or she shall not be eligible to win more than one prize.

(f) The winner shall be given a prize claim form to be completed and returned to the lottery.

(g) If the ticket is not valid or the name on the ticket is not legible, the ticket drawn will be void and the selection process shall be repeated until a winner is selected. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-4-518. Security of drawings. (a) The receptacle(s) or drum(s) located at Heartland Park, into which drawing entries are placed, shall be monitored from the commencement of ticket entries until completion

of the event by lottery security.

- (b) The actual drawing events shall be recorded on both audio and video tape by lottery security. The audio and video tape shall contain no other material than the actual drawings beginning with the sealing of the receptacle or drum and continuing through the announcement and verification of the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)
- 111-4-519. Ticket disqualification. Any non-winning Kansas instant game lottery ticket entered into the "Heartland Park Fall Drawings" shall become the property of the Kansas lottery and is disqualified from any other Kansas lottery prize or drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)
- 111-4-520. Co-sponsor drawings. Co-sponsors of the "Heartland Park Fall Drawings" may hold co-sponsor drawings in conjunction with local retailers, businesses and organizations at a drawing event. In no instance shall these drawings take place prior to the "Heartland Park Fall Drawings." Such drawings, if conducted, shall be a part of the lottery "Heartland Park Fall Drawings" and prizes, in addition to cash prizes presented by the lottery, may be donated by the co-sponsor(s). The person drawing tickets for the lottery may draw additional tickets for the co-sponsor(s) prizes. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)
- 111-4-521. Cancellation of race/drawing. (a) If any "Heartland Park Fall Drawing" is not held due to the Heartland Park race being cancelled because of a rain out, power failure or any other unforeseen circumstance beyond the control of the Kansas lottery and Heartland Park after entries have been placed in the receptacle(s) or drum(s), it will be rescheduled. Any rescheduled drawing will be held as soon as practicable and at a location and time determined by the executive director or the person designated by the executive director and the minimum prizes identified in K.A.R. 111-4-515 will be awarded for each prize class which is rescheduled.
- (b) Lottery security personnel or designated security personnel will, upon cancellation of any "Heartland Park Fall Drawing" which is rescheduled, take possession of and secure the receptacle(s) or drum(s) containing all entries for the cancelled "Heartland Park Fall Drawing" and hold all ticket entries contained therein until the rescheduled drawing.

(c) The winner of a rescheduled "Heartland Park Fall Drawing" need not be present at the time of that drawing to be determined a winner.

ing to be determined a winner.

(d) If a Heartland Park race is cancelled before the gates are open to the public, no entries will be allowed, and the "Heartland Park Fall Drawings" will also be cancelled. If a "Heartland Park Fall Drawing" is cancelled under (d), it will not be resheduled. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

### Article 6.—ON-LINE GAMES

**111-6-11.** (Authorized by and implementing K.S.A. 74-8710; effective, T-89-4, Jan. 22, 1988; revoked, T-111-8-26-93, Aug. 20, 1993.)

# Article 7.—CASH LOTTO GAME RULES "CLUB KENO HAWAIIAN DRAWING"

111-7-99. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Club Keno Hawaiian Drawing." Entries may be made at on-line lottery retailer locations and regional offices in Topeka, Wichita or Great Bend starting September 9, 1993. The drawing will be held at 2:00 p.m., November 17, 1993 at lottery headquarters. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-7-100. Prize. The prize winner selected in the "Club Keno Hawaiian Drawing" shall receive a Hawaiian vacation for two provided by the Kansas State Wildcat radio network. The prize is subject to lottery validation, set-offs and deductions authorized by law. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-7-101. Method of entry. Entry into the "Club Keno Hawaiian Drawing" is accomplished by the following steps:

(a) Obtain a valid Kansas "Club Keno" or "Keno

Plus" game lottery ticket.

(b) Determine if the ticket is a winning ticket in accordance with "Club Keno" or "Keno Plus" game rules. If the ticket is a winning ticket, it is not eligible for the "Hawaiian Club Keno Drawing" and shall be redeemed in accordance with the instant game rules.

(c) Only non-winning "Club Keno" or "Keno Plus" tickets are eligible to win the drawing. Each individual ticket shall constitute one entry whether it is a \$1 single play ticket, a multiple dollar ticket or a multi-draw

ticket.

- (d) Place one or more tickets into an envelope and mail them to: "Club Keno Hawaiian Drawing," Kansas lottery, 128 North Kansas, Topeka, Kansas 66603, or place the envelopes containing entry tickets in collection boxes located in the Topeka, Wichita or Great Bend regional offices, in collection boxes at special events approved by the executive director, or at lottery retail outlets.
- (e) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on tickets in any one entry.

(f) There is no limit on the number of entries a per-

son may make.

(g) Any valid non-winning entries into the "Club Keno Hawaiian Drawing" must be received by the following dates and times:

Location Kansas lottery headquarters	Time 2:00 p.m.	Date November 17, 1993
Topeka regional office Kansas lottery retailers	2:00 p.m. close of	November 17, 1993 November 10, 1993
Mailed entries (Kansas lottery headquarters)	business 5:00 p.m.	November 16, 1993

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993.)

111-7-102. Certification of drawing. (a) The "Club Keno Hawaiian Drawing" shall be personally observed by a member of the Kansas lottery division of security designated by the executive director and by an auditor.

(b) The executive director or the senior lottery official present shall designate a lottery staff person to serve as an auditor to perform the necessary services.

(c) Upon completion of the drawing, the designated Kansas lottery security person and the auditor shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 74-8710 (b); effective, T-111-8-26-93, Aug. 20, 1993.)

111-7-103. Selection of winners. The following process shall be used for the selection of winners in the "Club Keno Hawaiian Drawing":

(a) Kansas lottery mail room personnel shall pick up all mail containing "Club Keno Hawaiian Drawing" envelopes at the Topeka United States Post Office on

a daily basis.

(b) The mail room personnel shall transport the mail to the mail room where the envelopes will be opened and non-winning entry tickets placed in a drum or receptacle. Following each deposit of tickets in the drum or receptacle, the security person making the deposit shall reseal the receptacle.

(c) The selection process shall be held at 2 p.m. on the date established in K.A.R. 111-7-99. The drawing shall be held at lottery headquarters in a place accessible to the public and be open for public attendance and with lottery security personnel present. The draw-

ing shall be audio and video taped.

(d) Prior to the drawing the drum or receptacle shall be sealed and the contents mixed by rotating the drum ten (10) times, if a drum is used, or by mixing the content with a shovel or by other means for at least three minutes if another type receptacle is used.

(e) The designated individual shall then unseal the drum or receptacle, and using the bare-arm technique, remove one (1) ticket from the drum or receptacle.

(f) The designated Kansas lottery security official shall review the ticket to determine the validity of the entry into the "Club Keno Hawaiian Drawing" in accordance with these regulations. The auditor and the security person shall record the name of the winner and the winner shall be promptly notified.

1-16-22

Amended

- (g) If the ticket is determined to be ineligible, it shall be discarded, and another ticket removed. This procedure will be repeated until a valid selection is obtained.
- (h) The person whose name appears on the back of the ticket in the entry drawn shall win the prize identified in K.A.R. 111-7-100, subject to validation by the lottery as set forth in these rules.
- (i) All "Club Keno Hawaiian Drawing" tickets remaining in the drum or receptacle on November 17, 1993, after the valid winner has been selected shall be destroyed. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993.)
- 111-7-104. Rights of participants. Any non-winning Kansas "Club Keno" or "Keno Plus" game lottery ticket entered into the "Club Keno Hawaiian Drawing is disqualified for any other Kansas lottery prize or eligibility for which that ticket may have been redeemable. (Authorized by and implementing K.S.A. 74-8710(d); effective, T-111-8-26-93, Aug. 20, 1993.)
- 111-7-105. Winner validation. The following validation requirements shall apply to the "Club Keno Hawaiian Drawing':
- (a) Each "Club Keno Hawaiian Drawing" ticket must be a valid non-winning Kansas "Club Keno" or "Keno Plus" game lottery ticket, or contain at least one valid non-winning entry if it is a multi-draw ticket.

- (b) The information form on the back of the ticket must be filled out in a legible manner, and only one name shall appear on the the ticket.
- (c) Each ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part.
- (d) Each ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any way.
- (e) Each ticket must not be blank or partially blank, misregistered, defective, or printed or produced in
- (f) Each ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery.
- (g) Each ticket must be fully legible, and be exactly as described in paragraph (d) above.
- (h) The ticket validation number of the ticket shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets.
- (i) Any ticket not passing all the validation checks in this section is void and is not eligible for the "Club Keno Hawaiian Drawing." (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993.)

Paul Louderman Acting Executive Director

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